



Special Joint Committee on the Declaration of Emergency

Invocation of the Emergencies Act

April 26, 2022

N.B.: The Committee can request a copy of all witness materials.

Special Joint Committee on the Declaration of Emergency (DEDC)

Invocation of the Emergencies Act

April 26, 2022

18:30 to 20:00

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Special Joint Committee on the Declaration of Emergency (DEDC)

April 26, 2022

18:30-20:00

via Zoom

RCMP Appearance: Invocation of the *Emergencies Act*

Key Messages

- The goal of law enforcement is always to maintain public order and keep citizens safe. The challenges that we faced were unprecedented in their scope and nature.
- The tools provided to law enforcement under the *Emergencies Act* were targeted, time-limited and proportional measures that sought to help bring about a peaceful resolution to a difficult situation.
- While not the police service of jurisdiction for the demonstrations in Ottawa, the RCMP worked closely with our law enforcement partners, including the Parliamentary Protective Service, the Ottawa Police Service and the Ontario Provincial Police.

Appearance

The Minister of Public Safety (PS) is scheduled to appear before the Special Joint Committee on the Declaration of Emergency (DEDC) regarding their study on the invocation of the *Emergencies Act* on April 26, 2022, from 18:30 to 20:00. You and other senior officials from PS will attend to support the Minister. Participants include:

Department of Public Safety (PS)

- Honourable Marco Mendicino, Minister of Public Safety
- Rob Stewart, Deputy Minister (TBC)

Royal Canadian Mounted Police

- Brenda Lucki, Commissioner

Canada Border Services Agency

- John Ossowski, President (TBC)

The Minister of Justice and supporting officials will appear before DEDC from 20:00 to 21:30

Background

The DEDC was established to review the exercise of powers and the performance of duties and functions pursuant to the declaration of emergency that was in effect from Monday, February 14, 2022, to Wednesday, February 23, 2022. An overview of planned witnesses is annexed to this note.

On 14 February 2022, in response to the ongoing blockades and protests taking place in Ottawa and at some border crossings, the Prime Minister announced that the Governor in Council had invoked the *Emergencies Act* for the first time since its adoption, issuing a declaration of a public order emergency and giving the federal government certain temporary powers.

The *Emergencies Act* sets out the procedure by which a national emergency can be declared and by which a declaration of emergency can be confirmed, continued, amended and revoked. It also provides for a supervisory role for Parliament.

The declaration of emergency was revoked on 23 February 2022 by proclamation. Under subsection 62(1) of the *Emergencies Act*, a parliamentary review committee must review the “exercise of powers and the performance of duties and functions pursuant to a declaration of emergency.” Accordingly, this special joint committee was established by motion of the Senate and House of Commons on 3 March 2022.

Strategic Considerations

Four DEDC members from the House of Commons voted in favour of the motion confirming the declaration of a public order emergency proclaimed on February 14, 2022: MPs Bendayan (LPC), Naqvi (LPC), Virani (LPC), and Green (NDP) while MPs Brock (CPC), Motz (CPC), and Fortin (BQ) voted against the motion.

At the time the *Emergencies Act* was revoked, the Senate had not yet voted on the motion to confirm the declaration of a public order emergency. In debate on the motion, Senator Carignan (CPC) stated he was opposed to the invoking of the *Emergencies Act*, while Senator White (Canadian Senators Group) stated that he was supportive of it. Senators Harder and Boniface have not explicitly stated publicly whether they supported the invocation of the *Emergencies Act* though social media posts from Senator Harder suggest he may have been supportive of the invoking of the Act.

Conservative members of the DEDC (MPs Brock and Motz, along with Senator Carignan) argued that the *Emergencies Act* should not have been invoked as they felt that law enforcement had the tools it required to address the situation.

While MP Green voted in support of the motion for the declaration of a public order emergency, in debate he repeatedly called for a national commission on policing. MP Green pointed to the involvement in the protests of former and current members of the Canadian Forces and RCMP as demonstrating the need for the national commission. Additional notable statements by DEDC members can be found at **TAB 1B**.

It is likely that DEDC members will inquire about the national security threat posed by the protests in Ottawa. On March 24, 2022, officials from the Ottawa Police Service and Ontario Provincial Police (OPP) appeared before the Standing Committee on Public Safety and National Security (SECU) for the committee’s study on Occupation of Ottawa and the Federal Government’s Response to Convoy Blockades. During this appearance, OPP Commissioner Thomas Carrique stated that on or about February 7, the OPP’s provincial operations intelligence bureau identified a threat to national security related to the Convoy protests. In response to requests for details as to whether this threat was linked to far-right extremism, the Commissioner stated, “this was not the appropriate venue to get into the specifics of intelligence”.

Additionally, while attending a conference on March 10, 2022, Jody Thomas, the National Security and Intelligence Advisor to the Prime Minister, stated “The people who organized that protest—and there were several factions there, there's no doubt— came to overthrow the government. Whether their ability to do that was there, whether their intent and understanding of how to do that was realistic, is actually irrelevant to what they wanted to do.”

Further, when appearing before DEDC on March 29, 2022, the Honourable Perrin Beatty, former Minister of National Defence and drafter of the *Emergencies Act*, encouraged DEDC members, “I hope you will insist on seeing that assessment and will evaluate the quality of the intelligence on which it was based”. He added, “...the committee should press for any information to help Canadians understand the rationale for invocation, and test against both the facts of the situation and the deliberately high threshold that is required”.

During this appearance, Mr. Beatty suggested that the committee explore several other elements related to the invocation of the *Emergencies Act*, including the rationale for freezing bank accounts. Mr. Beatty also encouraged committee members to closely examine policing in Ottawa and whether “...the arrangement that we have today to provide security service for the national capital appropriate or should it be rethought?” He did however note that this may be outside of DEDC’s scope.

General Information

Rounds of Questioning:

Members of the Committee are allotted four minutes to both ask questions and receive responses during the first round of questioning. In the second round (time permitting), the allotted time for questions and answers is reduced to two-to-three minutes.

- Typical order of questioning for the first round: four minutes House of Commons Conservative, four minutes House of Commons Liberal, four minutes House of Commons Bloc Québécois (BQ), four minutes House of Commons New Democratic Party (NDP) and four minutes for each senator.
- Typical order of questioning for the second round: three minutes Conservative House of Commons, three minutes House of Commons Liberal, two minutes House of Commons Bloc Québécois (BQ), two minutes House of Commons New Democratic Party (NDP) and two minutes each for two senators on a rotational basis to be determined by the Senate parliamentary groups.

Departmental officials present at Committee are responsible for supporting the Minister’s accountability in Parliament. As departmental officials are not primarily responsible for exercising the powers of the Crown, their relationship to Parliament is different from that of Ministers. While Ministers are responsible for political, partisan matters, and for defending public policies before Parliament, deputy heads and officials support Ministers in providing explanations and information on public policies that Ministers could not be expected to provide due to the level of detail or complexity.

When responding to questions from committee members, keep your answers brief and factual. Avoid taking a position, providing your opinion, stating your personal recommendations or speaking on behalf of others on a given issue. Do not divulge classified information, Cabinet confidences or any information that contradicts privacy laws.

Notable Statements from DEDC Members

Glen Motz (Conservative Party of Canada (CPC)): MP Motz stated on February 17, 2022, “The *Emergencies Act* is not required. We have heard that expressed by constituents, by Canadians and in legal opinions... What do the Oka crisis, the conflict at Caledonia, the Wet'suwet'en rail blockades, the B.C. pipeline protests and 9/11 all have in common? None of them warranted the use of the *Emergencies Act*.”

Arif Virani (Liberal Party of Canada (LPC)): During debate on the *Emergencies Act*, on February 17, 2022, MP Virani stated, “At this stage, I firmly believe that the only way to resolve the present threat that is facing this country is to declare a public order emergency under the *Emergencies Act*”. He added, “The protest ostensibly began over vaccine mandates. It has morphed into what resembles an occupation of the city by people who have openly declared on the public record that they are seeking to overthrow the government. That constitutes a complete breakdown of public order in Ottawa. Despite efforts from the Ottawa Police Service, law and order in the nation's capital have been impossible to maintain.”

MP Virani also argued, “What we are doing is not a power grab and it is not the invocation of the War Measures Act; we are simply giving the RCMP the power to enforce local laws and work quickly with local law enforcement. We are not calling in the armed forces. We are not putting the RCMP or any other police force under the control of the government. Policing operational decisions remain independent, as they must in any democracy.”

Rachel Bendayan (LPC): During debate on the *Emergencies Act*, on February 17, 2022, MP Bendayan noted, “Invoking the *Emergencies Act* is not the first thing the Government of Canada should do, or even the second. It must be used as a last resort. However, it is clear that this tool is now necessary.” In referencing the emergency economic measures orders, MP Bendayan stated, “The vast majority of Canadians, those who are law-abiding and not involved in these illegal blockades, will see absolutely no difference. This order changes nothing for them. These measures are designed to stop the funding that enables illegal blockades.”

Matthew Green (New Democratic Party) (NDP): On February 19, 2022, MP Green expressed concern that the government, “placed an overemphasis on the economic disruptions posed by the blockades, including the adverse effects on businesses and supply chains, without adequately referencing the threat of extremist white supremacy and the reported potential for violence. This is despite reports from the intelligence assessments prepared by Canada's Integrated Terrorism Assessment Centre that warned in late January that it was likely extremists were involved and said the scale of the protest could yet pose a trigger point and opportunity for potential lone actors to conduct a terrorist attack.”

During debate MP Green also noted, “We have witnessed the juxtaposition of brutal and excessive responses to legitimate protests, as experienced for generations by

indigenous peoples of these lands and as ongoing in unceded, unsundered Wet'suwet'en territory; the use of Canadian military to surveil the Black Lives Matter protest, as recently as 2022; the vicious response to climate justice activists at Fairy Creek; and the violent crackdown on police services against houseless residents and encampment support activists at Trinity-Bellwoods in Toronto and J.C. Beemer Park right here in my riding of Hamilton Centre. Many of these people, in this very moment, fear that the extended powers of the state's monopoly on violence will only serve to further target their causes."

In his remarks, MP Green also argued, "Canadians cannot maintain faith in our nation's safety and security institutions when faced with this early and ongoing de facto dereliction of duty by local police officers, whose weaponized incompetence and refusal to uphold the law in our nation's capital helped to ultimately bring us to this place. The reports about retired active duty national intelligence and military members, including Joint Task Force 2 members, about the RCMP and about former members of the Prime Minister's security detail further demonstrate the need for a national commission on policing. The last royal commission on policing was in 1962."

MP Green further echoed his calls for a Royal Commission on Policing during the DEDC meeting on March 29, 2022, "I talk about a Royal Commission on Policing. There are some other important threats within our security frameworks including ideologically motivated violent extremists, including the rise of white supremacy in the far right and for undemocratic ends, i.e. overthrowing the government."

Rhéal Fortin (Bloc Québécois (BQ)): On February 20, 2022, MP Fortin argued, "the blockades have been removed and the offenders punished without the need to invoke the *Emergencies Act*. The existing laws and provincial and municipal powers to intervene were clearly sufficient."

Yasir Naqvi (LPC): On February 20, 2022, MP Naqvi explained his support for the invoking of the *Emergencies Act* and noted, "I will go back to what I know best, which is Ottawa. I have been involved since day one in all the work that has gone on that led to the invocation of the *Emergencies Act*, given the fact that I represent the riding of Ottawa Centre. We have engaged from the very first day with our municipal government and the provincial government in Ontario through the work the federal government was doing, whether it meant providing resources by way of the RCMP or the OPP or by providing other municipal services. These resources to put an end to this illegal occupation came not just two days ago, but over time. We made sure that we had the legal authority or legislative mechanisms to take action."

In response to a question, MP Naqvi added, "Through the provision of powers, some of which I articulated, and their application, law enforcement was able to end the occupation. We heard that from our local interim police chief in Ottawa. These powers that were given to him through the *Emergencies Act* gave him sufficient tools to end the illegal occupation of downtown Ottawa."

Larry Brock (CPC): During debate of the *Emergencies Act*, on February 20, 2022, MP Brock, stated, "...the prolonged blockades in Ottawa and at border crossings were against the law, but the invocation to implement the *Emergencies Act* was completely unnecessary and, most important, did not meet the extremely high threshold as set out in the act." MP Brock added, "Blockades are already in violation of the *Criminal Code*, provincial highway acts and any number of municipal bylaws and court injunctions. This was and still remains the purview of the police. They had all the tools necessary."

MP Brock also remarked, "I have made it abundantly clear that we disagreed with some of the tactics used by the organizers of this protest. As a lawyer, I follow and hold sacrosanct our charter rights of protest and assembly. This was a failed leadership exercise by the Prime Minister and, by extension, the former chief of Ottawa Police Service, who has now resigned. He had all the tools necessary under the Criminal Code, provincial statutes, municipal bylaws and court injunctions."

MP Brock added, "there are many lessons to be learned and I hope we decide that a national inquiry should be undertaken forthwith to look at the obvious levels of failed leadership and the decisions that were made. Most importantly, it comes down to looking at the litany of emergencies, the protests, the demonstrations, the blockades, the world events that have impacted Canada and how effectively police agencies and politicians across this great nation have effectively dealt with that without imposing this draconian piece of legislation that has not been used—."

Many of the points MP Brock raised in the House of Commons were reiterated when the Minister of Public Safety, along with Portfolio Officials, appeared before the Standing Committee on Public Safety and National Security (SECU) on February 25, 2022. During the appearance, in furthering his argument that law enforcement had the tools needed to address the protest MP Brock stated, "The law was available for them to use. Whether they utilized it is a separate issue".

Senator Claude Carignan (CPC): In an exchange with Senator Marc Gold, the Government Representative in the Senate, on February 22, 2022, Senator Carignan stated, "I don't have a list of all of the charges that were laid or the tickets that were issued for disturbing the peace, but law enforcement officers are obligated to respond when such acts are being committed, and they can easily do so under the existing legislation. I'm therefore having a hard time understanding why the protesters could not have been forced to leave and the vehicles on Wellington Street could not have been towed under federal, provincial or municipal laws."

In a speech in the Senate, where he expressed his opposition to the invoking of the *Emergencies Act*, Senator Carignan stated, "The truth is that before the act was invoked, the police had all the legal tools and resources they needed to manage the illegal blockades of public roads and to restore order." Senator Carignan added, "I refute the argument that there were not enough police officers. I simply do not understand why the mayor of Ottawa claimed that he requested but did not obtain 1,800 additional officers to end the turmoil in Ottawa before the federal government decided to resort to

the *Emergencies Act*. In the past, there have been other major events in Ontario and in other provinces where large numbers of police were deployed without the need to invoke this law.” He also noted, “Canada is not only capable of mobilizing thousands of police officers to one location, but it also has access to legislation at all three levels of government, in addition to jurisprudence, that provide the legal tools required to maintain and restore order in the event of large protests, all without the need to invoke the *Emergencies Act*.” He concluded his speech by stating, “The governments and police forces had all the legal tools needed to end this crisis faster in Ottawa, and they could have exceptionally deployed enough police officers well before the act came into effect.”

Senator Vernon White (Canadian Senators Group) (CSG): In a speech in the Senate on February 23, 2022, Senator White stated, “...I believe there was a tipping point where the federal government had to take a greater role, and that role in this case was the invocation of the *Emergencies Act*.” Senator White added, “I supported the invoking of the *Emergencies Act* and, for now, I support its continuance because the authorities are telling me that they continue to need it and to use the tools that the invocation of the *Emergencies Act* brought into play.”

Special Joint Committee on the Declaration of Emergency (DEDC)

The Special Joint Committee on the Declaration of Emergency has been appointed to review the exercise of powers and the performance of duties and functions pursuant to the declaration of emergency that was in effect from Monday, February 14, 2022, to Wednesday, February 23, 2022.

Joint Chairs	Hon. Gwen Boniface (Sen)	Independent Senators Group
	Rhéal Éloi Fortin (MP)	Bloc Québécois
	Matthew Green (MP)	NDP

Vice-Chairs	Hon. Claude Carignan (Sen)	Conservative
	Arif Virani (MP)	Liberal
	Glen Motz (MP)	Conservative

Members	Hon. Peter Harder (Sen)	Progressive Senate Group
	Hon. Vernon White (Sen)	Canadian Senators Group
	Rachel Bendayan (MP)	Liberal
	Larry Brock (MP)	Conservative
	Yasir Naqvi (MP)	Liberal

Ontario

Appointment

- Appointed to the Senate in 2016.

Education and Background

- First female Commissioner of the OPP.
- First female President of the Canadian Association of Chiefs of Police.
- Long-time member of the International Association of Chiefs of Police, where she served as Deputy Executive Director.
- Founding President of the Canadian Police Chiefs International Service Agency, a non-profit organization created to address sexual exploitation of children.
- Board of Governors of the Law Commission of Ontario from 2011-2014.
- Has international experience with policing reform, transnational organized crime and counter terrorism.
- Initiated many reforms to promote Indigenous policing.
- Holds a certificate in Law and Security Administration from Humber College; B.A. from York University; and LL.B. from Osgoode Hall Law School.



Points of Note

- Member of the Standing Committee on Foreign Affairs and International Trade (AEFA) and Member of the Standing Committee on Rules, Procedures and the Rights of Parliament (RPRD). Joint Chair of the Special Joint Committee on the Declaration of Emergency (DEDC).
- Has worked extensively to repair relationships with First Nations communities.
- Served for three years as the Deputy Chief Inspector of Ireland's Garda Síochána Inspectorate, tasked with bringing reform to the national police service. She then took on the role of Transnational Organized Crime Expert with the United Nations Police Division, where she advanced the fight against organized crime in conflict and post-conflict countries, while also being a member of the UN Counter Terrorism Integrated Task Force.
- Senator Boniface sponsored Bill C-46 (Drug Impaired Driving) in the Senate.
- Received the United Nations Peacekeeping Medal, and was awarded an honorary doctorate of letters from Nipissing University in 2006.
- Was invested into the Order of Ontario in 2001 for her work with the First Nations communities. She is a Commander of the Order of Merit of the Police Forces, the Order of St. John, and has the Humber College Alumnus of Distinction Award.

Rivière-du-Nord, Québec

Election

- Elected to the House of Commons in 2015.

Education and Background

- Studied law at the University of Sherbrooke.
- President of the Bissonnette Fortin Giroux law firm in Saint-Jérôme (Québec).



Points of Note

- Vice-Chair of the Standing Committee on Justice and Human Rights (JUST), Member of the Subcommittee on Agenda and Procedure of the Standing Committee on Justice and Human Rights (SJUS), and Joint Chair of the Special Joint Committee on the Declaration of Emergency (DEDC).
- Current Bloc Québécois Justice Critic.
- Served as interim leader of the Bloc Québécois from 2015 to 2017.
- In the 42nd Parliament, 1st Session, he sponsored Bill C-349, An Act to amend the Criminal Code and to make consequential amendments to other acts (criminal organization), which was introduced and had First Reading in April 2017.
- Also in the 42nd Parliament, 1st Session, he sponsored Bill C-334, An Act to amend the Canada Evidence Act and the Criminal Code (journalistic sources), which was introduced and had First Reading in January 2017.

Hamilton Centre, Ontario

Election

- Elected to the House of Commons in 2019.

Education and Background

- Former Hamilton city councillor.
- Holds a Bachelor's degree in Political Science and Legal Studies from Acadia University.



Points of Note

- Member of the Standing Committee on Access to Information, Privacy and Ethics (ETHI) and the Subcommittee on Agenda and Procedure of the Standing Committee on Access to Information, Privacy and Ethics (SETH). Joint Chair of the Standing Joint Committee on the Declaration of Emergency (DEDC).
- Previous member of the Standing Committee on Government Operations and Estimates (OGGO), its subcommittee on Agenda and Procedure, and the Standing Committee on Public Accounts (PACP).
- Serves as NDP Critic on Ethics and is also the Deputy Critic on Public Services and Procurement; Labour; and, Employment and Workforce Development.
- In February 2022, repeatedly called for the establishment of a national commission on policing that would review the duties assigned to the police and their corresponding budgets.
- In October 2020, presented a petition that called upon the House of Commons to divest from the RCMP and redirect funding towards social services to replace policing functions in recognition of the long history of violence against Black and Indigenous communities and the inefficacy of policing.

Quebec (Mille Isles)

Appointment

- Appointed to the Senate in 2009.

Education and Background

- Holds a LL.B from Université de Sherbrooke, Quebec, and a graduate degree in public law from the Université de Montréal.
- Worked as a lawyer since his admission to the Quebec Bar in 1988, specializing in civil litigation, public law, labour relations, and health and social services law. Also taught public and labour law at the Université de Montréal Faculty of Law and at the Université du Québec à Montréal.
- Former mayor of Saint-Eustache, QC.
- Chair, and then second vice-president of the Union des municipalités du Québec's justice and public safety commission.



Points of Note

- Deputy Chair of the Standing Committee on Rules, Procedures and the Rights of Parliament (RPRD). Member of the Standing Committee on Legal and Constitutional Affairs (LCJC) and the Standing Committee on Energy, the Environment and Natural Resources (ENEV). Vice-Chair of the Special Joint Committee on the Declaration of Emergency (DEDC).
- Leader of the Opposition in the Senate from November 2015 to March 2017.
- Served as Leader of the Government in the Senate from 2013 to 2015. During this time, was also a member of Cabinet.
- In 2016 as the Senate considered Bill C-7 (Public Service Labour Relations Regime), he stated, "In my opinion, the most powerful person in Canada is the Commissioner of the RCMP because he can dismiss 21,000 people and it is up to him to rule on the appeal for dismissing those 21,000 people".
- Served as president of the Conseil sur les services policiers du Québec in 2008, an advisory body created to advise the Quebec Minister of Public Security on all policing matters.
- Introduced two bills in fall 2016: Bill S-230 (drug-impaired driving) that did not pass and was ultimately replaced by government Bill C-46 (drug-impaired driving), which came into force in June 2018; and Bill S-231 (protection of journalistic sources), which passed unanimously in the Senate and the House of Commons and received Royal Assent in October 2017.

Parkdale-High Park, Ontario

Election

- Elected to the House of Commons in 2015.

Education and Background

- Earned a Joint Honours BA in History and Political Science from McGill University.
- Received a Bachelor of Law from the University of Toronto.
- Prior to entering politics, worked as a lawyer for the constitutional law branch of the Ontario Ministry of the Attorney General.



Points of Note

- Parliamentary Secretary to the Minister of International Trade, Export Promotion, Small Business and Economic Development
- Member of Standing Committee on International Trade (CIIT) and Vice-Chair of the Special Joint Committee on the Declaration of Emergency (DEDC).
- Previous member of the Standing Committee on Justice and Human Rights (JUST).
- Served as Parliamentary Secretary to the Minister of Justice and Attorney General of Canada from 2018 to 2021.
- Served as Parliamentary Secretary to the Minister of Democratic Institutions from 2018 to 2019
- Served as Parliamentary Secretary to the Minister of Canadian Heritage (Multiculturalism) from 2017 to 2018.
- Served as Parliamentary Secretary to the Minister of Immigration, Refugees and Citizenship from 2015 to 2017.

Medicine Hat—Cardston—Warner, Alberta

Election

- Elected to the House of Commons in 2016.

Education and Background

- Served for 35 years with the Medicine Hat Police Service and retired as Inspector in 2015.
- Holds a Bachelor of Religious Education Degree from the Hillcrest Christian College.



Points of Note

- Member of the Standing Committee on National Defence (NDDN) and Vice-Chair of the Special Joint Committee on the Declaration of Emergency (DEDC).
- Served as a Member of the National Security and Intelligence Committee of Parliamentarians (NSICOP) from February 2020 to June 2021.
- Served as the Opposition Associate Shadow Minister for Public Safety and Emergency Preparedness from 2019 to 2020.
- Opposed to gun control measures and sponsored e-petition 2341, which calls for any new firearms laws, bans, buyback programs or changes to licencing be put before the House of Commons for debate.
- MP Motz has raised concerns about a perceived erosion of border security, noting his concerns are “not just with respect to the crisis of illegal border crossers, but also with drugs, handgun smuggling, human trafficking by many of the gangs running drugs, and the massive backlogs in the monitoring and deportation of known terrorists, criminals and national security risks”.
- He has expressed concern about rural crime and has suggested that RCMP resources in rural areas are insufficient.
- Expressed concern about the privacy of Canadians related to the Equifax hack, and co-wrote (with MP Paul-Hus) a letter to the Prime Minister to this effect
- Called for the Minister of Public Safety to direct the RCMP to dismantle the rail blockades that were set up in support of Wet’suwet’en hereditary chiefs while decrying the economic costs of the disruption.
- Has called in the House of Commons for the Government to “ban Huawei”.

Ontario

Appointment

- Appointed to the Senate in 2016.

Education and Background

- Spent 29 years in the federal public service, 16 of which were served as Deputy Minister of several departments: the Department of Foreign Affairs and International Trade, Citizenship and Immigration, Industry, Solicitor General, Public Security, and the Treasury Board Secretariat.
- From 2003-2007, served as Personal Representative of the Prime Minister (Sherpa) to three G8 Summits. Considered an expert on Canada-China relations.
- Recipient of numerous awards, including the Public Service Outstanding Achievement Award and the United Way Community Builder Award.



Points of Note

- Deputy Chair of the Standing Committee on Foreign Affairs and International Trade (AEFA). Member of the Standing Committee on Legal and Constitutional Affairs (LCJC), the Standing Committee on Transport and Communications (TRCM), and the Standing Committee on Ethics and Conflict of Interest for Senators (CONF). Member of the Special Joint Committee on the Declaration of Emergency (DEDC).
- In December 2021, the Senate debated a motion from Senator Harder, "That he will call the attention of the Senate to the role and mandate of the RCMP, the skills and capabilities required for it to fulfill its role and mandate, and how it should be organized and resourced in the 21st century."
- Related to this, Senator Harder had an article in Policy Options in June 2021, where he argued for a mandate review of the organization as follows: "The inquiry should look at the role and mandate of the 21 century national police service and the skills needed to be an effective national force, as well as the resources and organization needed, and its recruitment practices."
- Served as the Government Representative in the Senate from 2016 to 2021.

Ontario

Appointment

- Appointed to the Senate in 2012.

Education and Background

- Served as the Chief of Police of the Ottawa Police Service and the Regional Police Service in Durham, Ontario, and spent 24 years with the RCMP, achieving the rank of Assistant Commissioner.
- Holds a Diploma in Business Administration from the College of Cape Breton, a Bachelor's Degree in Sociology and Psychology from Acadia University, a Master's Degree from Royal Roads University in Conflict Analysis and Management and a Professional Doctorate in Police Leadership from the Charles Sturt University.
- Has been honoured with a number of awards and commendations over the years, including the Commissioners Commendation, a Queen's Jubilee Medal and a United Way Community Builder of the Year award.



Points of Note

- Member of the Standing Committee for Ethics and Conflict of Interest for Senators (CONF) and the Standing Committee for Legal and Constitutional Affairs (LCJC). Member of the Standing Joint Committee on the Declaration of Emergency (DEDC).
- Member of the National Security and Intelligence Committee of Parliamentarians (NSICOP).
- In 2016, sponsored a Senate Public Bill that sought to amend the *Controlled Drugs and Substances Act* with an enactment that would add certain substances used in the production of fentanyl. While the bill passed the Senate, it did not reach the House of Commons.

Rachel Bendayan

Liberal

Outremont, Quebec

Election

- Elected to the House of Commons in 2019.

Education and Background

- Prior to entering federal politics, worked as lawyer for almost ten years and specialized in international trade law.
- Taught at the University of Montréal's Faculty of Law.
- Served as Chief of Staff to the federal Minister of Small Business and Tourism.



Points of Note

- Member of the Standing Committee on Foreign Affairs and International Development (FAAE) and member of the Special Joint Committee on the Declaration of Emergency (DEDC).
- Previous member of the Standing Committee on International Trade (CIIT), Standing Committee on Finance (FINA), and Standing Committee on the Status of Women (FEWO).
- Parliamentary Secretary to the Minister of Tourism and Associate Minister of Finance. Previously served as the Parliamentary Secretary to the Minister of Small Business, Export Promotion and International Trade.

Larry Brock

Conservative

Brantford—Brant, Ontario

Election

- Elected to the House of Commons in 2021.

Education and Background

- Has a Bachelor's degree from the University of Waterloo and a law degree from the University of Calgary.
- Prior to entering federal politics, was the Assistant Crown Attorney in Brant, Ontario.

Points of Note

- Member of the Special Joint Committee on the Declaration of Emergency (DEDC) and Member of the Standing Committee on Justice and Human Rights (JUST).
- Serves as the CPC Deputy Shadow Minister for Justice and Attorney General of Canada.



Ottawa Centre, Ontario

Election

- Elected to the House of Commons in 2021.

Education and Background

- From 2007 to 2018, served as a member of the Ontario legislature. Served in many roles including as the Attorney General of Ontario, Government House Leader, Minister of Community Safety and Correctional Services, and Minister of Labour.
- From 2018 to 2021, served as the CEO of the Institute for Canadian Citizenship, Canada's leading voice on citizenship and inclusion.



Points of Note

- Member of the Standing Committee on Justice and Human Rights (JUST) and member of the Special Joint Committee on the Declaration of Emergency (DEDC).
- Parliamentary Secretary to the President of the Queen's Privy Council for Canada and Minister of Emergency Preparedness.
- As Ontario's Attorney General, introduced legislation to strengthen police oversight through the of an inspector general to monitor police forces. The legislation also: allowed the ability for police chiefs to suspend officers without pay (though only in relatively rare investigations into off-duty conduct), provided better training for police services boards, and included mandatory coroner's inquests into deaths resulting from police use of force. As a member of the Ontario legislature, he also banned race-based carding in Ontario and modernized the court system.

Royal Canadian Mounted Police | Gendarmerie royale du Canada

KEY ISSUE QUESTIONS

Did the RCMP need the EA to resolve the protests? Was it necessary?

- The RCMP was able to resolve numerous blockades in our jurisdictions, specifically those in Coutts, Emerson, and the Pacific Highway. All within existing legislation.
- Each location and blockade was different with Ottawa presenting unique challenges.
- The EA gave us the tools to get the job done quickly and safely and importantly to return the city back to Ottawa residents.

What made the Freedom Convoy in the NCR unique?

- From the RCMP/policing perspective, the blockade was supported and organized by several organizers who were able to obtain a significant amount of funding.
- This allowed the protests to grow – particularly over the weekends – and be sustained over a three-week period with a significant amount of support from across the country.
- The protestors and trucks were entrenched in our nation's capital and there were no signs that this situation was going to be resolved within existing authorities.

Could you have resolved the protests without the EA?

- It was clear that the protesters had no intention of leaving downtown Ottawa.
And we saw each weekend more people moving into the city's core.
- Within Ottawa, provisions of the *Emergencies Act* granted the RCMP and policing partners with new authorities to:
 - maintain and reinforce the perimeter;
 - restrict travel;
 - prevent children from being brought into the situation;
 - secure equipment like tow trucks; and
 - ensure that we could cut off financial support and other assistance – such as gas – for this unlawful blockade.

How did RCMP use the EA to resolve the protests?

- Within Ottawa, provisions of the *Emergencies Act* granted the RCMP and policing partners new authorities to:
 - maintain and reinforce the perimeter;
 - restrict travel;
 - prevent children from being brought into the situation;
 - secure necessary equipment like tow trucks; and,
 - ensure that we could cut off financial support and other assistance – such as gas – for this unlawful blockade.
- These temporary powers also allowed RCMP officers to use provincial and municipal bylaws to affect a small number of arrests.
- I also believe that the *Emergencies Act* was a successful deterrent against similar activity in other jurisdictions.
- All of these temporary measures allowed law enforcement to resolve this crisis peacefully and swiftly.

Was the situation in Ottawa a failure of the OPS?

- It is not for me to evaluate or pass judgement on another police service and/or their response in any given situation.
- We have a duty to enforce the law and help our policing partners wherever possible.
- We did this quite effectively and I am proud of all RCMP employees who supported the efforts in Ottawa and all those behind the scene supporting.
- My team is conducting an after action review to learn from this experience.

What can you tell us about the threat posed by the protests? Did it constitute a threat to national security?

- I will address this question from my perspective and that of the RCMP. There are a number of organizations that have a mandate in this area.
- From my team's perspective, I can say that:
 - Although most people participating in the Ottawa protest were motivated by a desire to end COVID-related mandates, we assessed that some ideologically motivated extremists were likely present and attempting to leverage the protest and its high profile for their own purpose.

- We knew that some of these individuals posed possible threats to national security.
- Although no formal organized violent plot was identified during the protest in Ottawa, the potential for serious violence by a lone actor or fringe group was never discounted.
- We were fortunate that there was no organized plot of violence as we witnessed in Coutts, Alberta.

What advice did you provide to the Government (Minister/PM) regarding the invocation of the EA?

- I briefed the Prime Minister, various Ministers, and senior officials throughout the crisis and provided regular situational awareness updates.
- While I am not able to speak to the specific advice that I provided, some of the considerations at the time of those briefings were:
 - The illegal blockades and occupations taking place;
 - The situation in Ottawa;
 - Efforts to restore access to the Ambassador Bridge and other ports of entry; and
 - The support that the RCMP was providing to law enforcement partners.

What advice did you provide to the Government (Minister/PM) regarding the revocation of the EA?

- I provided regular briefings to the Prime Minister, various Ministers, and senior officials throughout the crisis and provided regular situational awareness updates.
- Our primary concern is always public and officer safety.
- While I am not able to speak to the specific advice that I provided, some of the considerations at the time of those briefings were:
 - The methodical and complex law enforcement effort that was carried out involving the RCMP, OPP and Ottawa Police Service, including police comments on how they had directly benefited from the Emergencies Act.
 - Law enforcement actions being taken elsewhere to avoid further blockades.
 - How work was expected to continue to bring an end to the illegal blockades and occupations.

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EMERGENCIES ACT AND THE RCMP

RCMP SPEAKING POINTS:

- Federal and provincial legislation provides significant authorities and powers to police services to maintain the rule of law.
- The RCMP was able to resolve numerous blockades in our jurisdictions, specifically those in Coutts, Emerson, and the Pacific Highway. All within existing legislation.
- Each location and blockade was different with Ottawa presenting unique challenges.
- The proclamation of a public order emergency under the *Emergencies Act* and associated measures provided all police officers across the country – not just the RCMP – with additional tools to address this crisis in a timely manner.

If pressed on authorities provided under the Emergencies Act:

- Within Ottawa, provisions of the *Emergencies Act* granted the RCMP and policing partners new authorities to:
 - maintain and reinforce the perimeter;
 - restrict travel;
 - prevent children from being brought into the situation;
 - secure necessary equipment like tow trucks; and,
 - ensure that we could cut off financial support and other assistance – such as gas – for this unlawful blockade.

QUESTIONS AND ANSWERS:

In your opinion, did a public order emergency exist in Canada on February 13, 2022?

- The basis for the public order emergency was laid out in the Government's proclamation of the *Emergencies Act* on February 14, 2022.

If pressed on advice provided to the Minister:

- I briefed the Prime Minister, various Ministers, and senior officials throughout the crisis and provided regular situational awareness updates.

- Some of the considerations at the time of those briefings were:
 - The illegal blockades and occupations taking place;
 - The situation in Ottawa;
 - Efforts to restore access to the Ambassador Bridge and other ports of entry; and
 - The support that the RCMP was providing to law enforcement partners.

Do you believe that the *Emergencies Act* (EA) was necessary to end this crisis? Why or why not?

- The RCMP was able to resolve numerous blockades in our jurisdictions, specifically those in Coutts, Emerson, and the Pacific Highway. All within existing legislation.
- Each location and blockade was different with Ottawa presenting unique challenges.
- The EA gave us the tools to get the job done quickly and safely and importantly to return the city back to Ottawa residents.

How did the RCMP use the EA to resolve the protests?

- Within Ottawa, provisions of the *Emergencies Act* granted the RCMP and policing partners new authorities to:
 - maintain and reinforce the perimeter;
 - restrict travel;
 - prevent children from being brought into the situation;
 - secure necessary equipment like tow trucks; and,
 - ensure that we could cut off financial support and other assistance – such as gas – for this unlawful blockade.
- These temporary powers also allowed RCMP officers to use provincial and municipal bylaws to affect a small number of arrests.
- I also believe that the *Emergencies Act* was a successful deterrent against similar activity in other jurisdictions.
- All of these temporary measures allowed law enforcement to resolve this crisis peacefully and swiftly.

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NATIONAL CAPITAL REGION COMMAND CENTRE AND INTEGRATED COMMAND CENTRE

RCMP SPEAKING POINTS:

- The National Capital Region Command Centre (NCRCC) is the Divisional Emergency Operations Centre (DEOC) for National Division responsible for responding to major events.
- During the recent Freedom Convoy, the NCRCC allowed incident commanders to make time-sensitive informed decisions when working with various policing partners.
- The RCMP, Ontario Provincial Police (OPP), and Ottawa Police Service (OPS) also established an Integrated Command Centre (ICC) to develop and oversee a joint enforcement plan under the leadership of the OPS. Other police services providing support were also part of the ICC.
- This combined effort allowed all three partners to bring a swift and peaceful end to this incident.

What was the NCRCC's role/involvement during the Freedom Convoy?

- The NCRCC is the Divisional Emergency Operations Centre for National Division responsible for responding to all major events.
- It is stood up whenever there are major events in the National Capital Region and brings together all key partners to share information.
- This allowed incident commanders to make time-sensitive informed decisions when working with various policing partners.

What was the RCMP's role/involvement in the ICC during the Freedom Convoy?

- RCMP officers were a part of the ICC in the development of a joint enforcement plan in a secure area at RCMP headquarters.
- With all three partners working together, the ICC was able to safely plan and execute the successful disruption of the blockade activity.

- This enhanced tri-lateral partnership is a positive example of successful domestic cooperation that resulted in securing the National Capital Region (NCR), removing the blockades, and safeguarding public safety and security.

How did the RCMP ensure timely information exchange with other partners as part of the ICC?

- The ICC provided enhanced and seamless communication and operational planning with all three partners to respond and disrupt blockades in the NCR.
- In particular, we were able to develop a time-sensitive and actionable plan that resulted in a safe and peaceful end to the blockades.
- This plan was actioned through ongoing communication between the ICC and NCRCC. We had seamless communication and were aware of all events as they unfolded.
- This communication allowed law enforcement to maintain its close protection stance, and disrupt any potential incidents, while also informing senior leadership of the behaviours of convoy participants.

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RESOURCES DEPLOYED TO THE NCR

RCMP SPEAKING POINTS:

- I can say that as a national police organization, the RCMP can draw resources from across the country in support of major operational needs to effectively respond to any urgent situation.
- Our members stationed in the NCR were leveraged, in addition to members from our Divisions nationwide.

QUESTIONS AND ANSWERS:

If pressed on additional information in relation to deployed resources:

How many RCMP officers were deployed to the NCR before the *Emergencies Act* (EA)?

- As of March 30, 2022, our analysis revealed that prior to invocation of the Act we deployed 532 RCMP officers to assist Ottawa Police Service (OPS) with the protests in the National Capital Region (NCR).
- We caution against any reference to specific deployment numbers. Deployment numbers shifted as events unfolded. Also, deployment totals do not capture the totality of RCMP efforts, for example, National Headquarters and program support.

How many RCMP were deployed to the NCR once the proclamation was in force?

- As of March 30, 2022, our analysis revealed that we deployed 787 RCMP officers to assist OPS with an effective law enforcement response to end the illegal protest in the NCR.
- We caution against any reference to specific deployment numbers. Deployment numbers shifted as events unfolded. Also, deployment totals do not capture the totality of RCMP efforts, for example, National Headquarters and program support.

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EMERGENCY MEASURES REGULATIONS

RCMP SPEAKING POINTS:

- In terms of the “Red Zone” perimeter that was established around Ottawa, section 6 of the *Emergency Measures Regulations* designated certain places such as Parliament Hill and government buildings as protected.

If pressed on designation on protected sites:

- It also authorized the Minister of Public Safety to designate other places as protected. My understanding is he made no such designations.

If pressed on requisition of services:

- No RCMP officer requested any person to make available essential goods or services under section 7 of the emergency measures regulations.
 - Outside of the RCMP, I only delegated the new requisition powers under section 7 to the Commissioner of the Ontario Provincial Police (OPP) and any OPP officers designated by him.
 - I understand that the OPP used these powers on my behalf, as per the regulations. For additional details on how, I recommend you consult the OPP.

QUESTIONS AND ANSWERS:

What direction did RCMP senior management provide its employees related to the use of Emergency Measures Regulations (EMRs)?

- For the Emergency Measures Regulations, I delegated the new requisition powers to compel people to provide essential goods and services such as tow trucks to the Commissioner of the OPP and OPP officers he designates to use these requisition powers on his behalf.
 - I understand that the OPP used these powers to request needed equipment to clear the streets in Ottawa.
 - The RCMP is currently collating information related to the invocation of the *Emergencies Act* and the events that led up to it. It would be premature to share preliminary data or additional information at this time.

What was the RCMP's involvement in the delegation of authority under section 6 of the Emergency Measures Regulations related to establishing a secure perimeter in the National Capital Region (NCR)?

- The *EMRs* do not provide for the delegation of authority regarding designation of protected places under section 6.
- Section 6 identifies areas that are designated by the *EMRs* itself as protected. It also provides that the Minister of Public Safety may designate additional places as protected. My understanding is he made no such designations.
- The RCMP was an integral partner of the Integrated Command Centre in cooperation with the OPS and OPP. As such, we are aware of discussions related to the establishment of the secure perimeter.
- Police of jurisdiction remained responsible for enforcing that protection. As police of jurisdiction, OPS had the primary authority for determining the scope and nature of the secure perimeter implemented to protect those places designated by the *EMRs*.
- It is my understanding that the secure perimeter established in Ottawa was not based solely on the areas designated under section 6 of the *EMR*, but rather on the assessment of the OPS of what was required to maintain the public peace and ensure public safety. This was established under other authorities.

What was the RCMP's involvement in the delegation of authority under section 7 related to compelling tow truck or other companies to provide essential support services?

- No goods or services were requested directly by the RCMP under section 7 of the *Emergency Measures Regulations*.
- By means of a written instrument of authorization dated February 17, 2022, I had the authority under section 7 (1) to designate both senior RCMP members and the Commissioner of the OPP to request essential goods and services.
- No authority under section 7 (1) was exercised by RCMP members. The RCMP understands that the OPP made requests for services from more than one vendor in Ontario for towing services performed in Ottawa during the blockade.

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EMERGENCY ECONOMIC MEASURES ORDER (EEMO)

RCMP SPEAKING POINTS:

- The *Emergency Economic Measures Order* (EEMO) allowed the RCMP and its partners to work more closely with Canadian financial institutions.
- It provided temporary financial measures that were used to strongly encourage individuals to leave the illegal protests, and to deter the counselling of others to commit related criminal offences.
- With the *Emergencies Act* in place, the RCMP developed a streamlined process where it would act as the central point of contact to disclose information to financial institutions on behalf of law enforcement.

With this information, financial institutions were able to make informed decisions to freeze or unfreeze accounts.

If pressed for details on RCMP action:

- On February 23, 2022, the declaration of a public order emergency under the *Emergencies Act* was revoked. As of that day, RCMP action culminated in:
 - the freezing of 257 financial products by financial institutions, which included bank, corporate accounts, and credit cards;
 - the disclosure of 57 entities to financial institutions, which included individuals and owners or drivers of vehicles involved in the blockades; and,
 - identifying 170 Bitcoin wallet addresses that were shared with virtual currency exchangers.
- Law enforcement information provided to financial institutions only included information on owners and operators of vehicles that were active participants in the blockades in Ottawa. At no time did the RCMP disclose any information on individuals who solely donated to the Convoys, or purchase Convoy-related merchandise.
- The RCMP also provided financial institutions with updated information regularly about owners and operators of vehicles as their status changed vis-à-vis ongoing participation in blockade activity.

QUESTIONS AND ANSWERS:

What is the source of funding for the Freedom Convoy?

- We know that the Freedom Convoy was well funded, with financial support provided to organizers through a variety of means, including crowdfunding and cryptocurrency.
- At this point, I do not have any information to suggest that foreign funding is connected to any state-based foreign-influenced activity.
- That said, I also understand that other police forces could be investigating the source of funding for the Freedom Convoy.
- As such, I am unable to provide any additional information about the source of funds at this time.

What steps did the RCMP take to assess any information received from OPS and OPP?

- The RCMP served as the central point of contact between the OPS/OPP and financial institutions, to streamline the sharing of information and avoid duplication of efforts. The RCMP was not responsible for validating information pertaining to the OPS/OPP investigation.
- The RCMP conducted database checks, verified social media and internet presence, and called individuals associated with registered vehicles present at the Ottawa blockades to enrich surveillance information collected in downtown Ottawa that was received from the OPP.
- With respect to crypto crowdfunding campaign, the funds raised were primarily in Bitcoin, and the Bitcoin transfers were visible to anyone who looked up the donation collection address.

Additional information and only if pressed on Bitcoin transfers:

- I am not an expert on cryptocurrency tracing - others in the organization could speak to this in more detail.
- However, I can tell you due to the public nature of these Bitcoin transfers, the RCMP was able to conduct cryptocurrency tracing analysis on the Blockchain, and follow the flow of the donated funds to various cryptocurrency addresses.
- Each time a suspicious transaction was identified, the RCMP sent out a Cryptocurrency ALERT to multiple Virtual Currency Money Service Businesses that

were registered with FINTRAC to advise them of any cryptocurrency addresses holding donations. On some occasions, separate emails were sent directly to particular Virtual Currency Money Service Businesses.

How did the RCMP protect people's private information when it was shared with financial institutions and financial entities?

- The uniqueness of this event prompted the need for temporary new and enhanced information sharing powers. We had the authority to disclose information under section 6 of the EEMO, as the primary intent of the Order was to discourage and disrupt any activity.
- These powers - made available through the use of the *Emergencies Act* - allowed the RCMP to share information with entities listed in section 3 of the EEMO.
- In keeping with the *Privacy Act*, RCMP followed standard procedure with regards to the sharing of personal information between law enforcement and financial institutions, and between law enforcement entities. Record keeping and note taking practices and procedures were also followed.
- Outside of the EEMO, the RCMP also continues to have its normal authorities under the *RCMP Act* and by the *Privacy Act* that allows it to share certain information with financial institutions.

How are you supporting the informal investigation of the Office of the Privacy Commissioner?

- My office is committed to assisting the Office of the Privacy Commissioner in their informal investigation of the *Emergency Act*.
- My staff recently met with the OPC to explain the RCMP's role in the Emergency Economic Measures Order.
- These discussions have been very positive and we look forward to working together with the OPC in the future.

How often did the RCMP meet with FI while the EA was in force? What was the purpose of these meetings?

- I know that members of the RCMP were in regular contact with financial institutions on the use of the measures throughout the lifespan of the *Emergencies Act*.

- These initial meetings sought to establish a direct channel of communication and discuss coordination of information sharing between law enforcement and financial institutions, both before the *Emergencies Act* came into effect, and while it was enacted.
- These meetings also were an opportunity to discuss how financial institutions would report back to the RCMP, the implementation of the EEMO instructions, and potential scenarios where the EEMO would apply. It also allowed meeting participants to raise other comments or concerns as they arose.
- The RCMP was also in regular contact with some Virtual Currency Money Services Businesses, in regards to dissemination of the Cryptocurrency ALERTS, discussions around expectations under the EEMO, and future bilateral communication strategies.

Additional information and only if pressed:

- The RCMP met virtually with the financial institutions and other entities with reporting obligations under the *Emergencies Act* on Feb 14th, Feb 16th, Feb 15th, Feb 17th, Feb 18th, and Feb 22nd.
- The RCMP spoke to the central point of contact for the Virtual Currency Money Services Businesses on Feb 15th, 18th, and 24th.

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PROTEST ACTIVITY NATIONWIDE

RCMP SPEAKING POINTS:

- The RCMP employs a measured approach to managing protests. This involves proactive engagement, communication, and various measures to support lawful and peaceful protest in an environment safe for protesters and members of the public.
- Where the RCMP was the police of jurisdiction, our role was to ensure that protest activity remained legal and if illegal acts were committed, to enforce the law as required.
- The goal of law enforcement is always to maintain public order and keep citizens safe. The challenges we faced were unprecedented in their scope and nature.
- The measures added to authorities that police services already had, and did not change the authorities or mandate of police of jurisdiction.

If pressed on Police Independence:

- All of Canada's police services, including the RCMP, function independently of political direction or influence in the specific actions or approach they take to addressing law enforcement issues. They are mandated with protecting the public and enforcing applicable laws, including the *Criminal Code of Canada*.
- The principle of police independence in Canada has been subject to Supreme Court decisions, stating "...the Commissioner is not subject to political direction. Like every other police officer similarly engaged, he [she] is answerable to the law and, no doubt, to his [her] conscience."

If pressed on Surrey, British Columbia:

- The protests in Surrey began on February 7, 2022, and were deemed to be unlawful on February 12, 2022.
- Throughout the three weeks of protests, police made a total of 18 arrests. There were also multiple ongoing investigations into unlawful activity that occurred.
- Specifically, on February 19, 2022, a group of aggressive protesters surrounded members of the media. Police intervention was required due to the actions of the

protesters, and to ensure that media members had safe passage to their vehicles.

If pressed on Coutts, Alberta:

- The protests in Coutts began January 29, 2022, and were deemed to be unlawful on the same day, once it was learned there was a full stoppage of traffic on the highway leading to the border.
- While the Alberta RCMP was in a position to conduct enforcement, they were engaged with protesters at the Coutts border crossing in an effort to find a peaceful and safe resolution for all involved. Another challenge faced was the lack of tow trucks. Tow companies declined to assist the police over concerns of repercussions from the trucking industry.
- While they thought they had a path to resolution, the protesters eventually chose not to comply. The highway, as essential infrastructure, could not be blockaded.
- The Alberta RCMP became aware of a small organized group within the larger Coutts protest, and as a result of information received and a subsequent complex investigation, the Alberta RCMP executed a search warrant during the early hours of February 14 on three trailers. This resulted in the arrest and detainment of 11 individuals.
- The blockade was resolved as a result of extensive negotiations between police and protest organizers and the subsequent arrests of several protesters engaged in criminal activity.

If pressed on Emerson, Manitoba:

- The blockade located at the Emerson Port of Entry was established on February 10, 2022 and was determined immediately to be unlawful.
- The Manitoba RCMP worked with the protesters and organizers to reach a peaceful resolution through dialogue and a measured policing response. No tickets were issued and no arrests were made.
- On February 16, 2022, protesters voluntarily left the blockade and the border crossing was reopened.

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INTELLIGENCE AND IDEOLOGICALLY-MOTIVATED VIOLENT EXTREMISM

RCMP SPEAKING POINTS:

- Canadians have the legitimate right to protest and express disagreement with Government of Canada policy or decisions.
- Although most people participating in the Ottawa protest were motivated by a desire to end COVID-related mandates, we assessed that some ideologically motivated extremists were likely present and attempting to leverage the protest and its high profile for their own purpose.
- We knew that some of these individuals posed possible threats to national security.
- Although no formal organized violent plot was identified during the protest in Ottawa, the potential for serious violence by a lone actor or fringe group was never discounted.
- We were fortunate that there was no organized plot of violence as we witnessed in Coutts, Alberta.
- The RCMP investigates persons who are suspected of being engaged in criminal activity, including offences related to terrorist entities. Our investigations target criminal activity that threatens the safety and security of Canadians.

QUESTIONS AND ANSWERS:

OPP Commissioner Thomas Carrique has stated that intelligence indicated that the convoy posed a national security threat on or about February 7th. Does the RCMP agree with this assessment?

- The RCMP works closely with the OPP and all of its policing partners and this includes the sharing of intelligence information.
- Although I cannot get into operational specifics, it was known to the RCMP that there were some individuals within the convoy who posed potential threats to national security.
- Once a nexus to national security is identified, the RCMP assumes the lead on the investigation and works collaboratively with other police services to ensure that the threat is addressed.

According to the RCMP's assessment, were there IMV extremists among the convoy's participants?

- Although the majority of individuals participating in the Ottawa protest were motivated by a desire to end COVID-related mandates, some individuals assessed to be possible ideologically motivated extremists were present and attempting to leverage the Convoy's platform and its high profile in Ottawa and across the country.

If pressed for further details on what law enforcement knew:

- These individuals were either known to law enforcement before the convoy's events or identified during the convoy by their online presence espousing racially motivated, ethno-nationalist, of anti-government or anti-authority grievances and in many cases espousing threats to violence in the name of these grievances.

Did the majority of convoy participants also demonstrate elements of IMVE?

- Most participants of the protests in Ottawa expressed frustrations with COVID restrictions and government health mandates.
- While this could be considered as an ideological motivation, it is not a violent one and does not fall within the categories associated with ideologically-motivated violent extremism or ideologically-motivated violent criminality.
- However, some ideologically motivated extremists appeared to try to leverage this platform as a mechanism to air their grievances, particularly those aimed at the government.
- Some of these grievances expressed an intent that could be perceived as potentially violent or extreme.

Did the presence of these individuals at the Ottawa protests constitute any form of criminality?

- The presence of ideologically motivated extremists does not necessarily mean ideologically motivated criminality or ideologically motivated violence will occur.
- It is important to remember that the government does not criminalize personal beliefs and police do not investigate belief.

If pressed further on elements of criminality:

- Expressions of hatred, regardless of how unacceptable they may be, do not typically meet criminal standards unless police hold evidence that demonstrates the statements were in a public place and incited hatred against an identifiable group where it is likely to lead to a breach of the peace.

- The belief itself is not criminal, rather it is the mobilization of belief to action – like inciting hatred against an identifiable group, threatening violence, or committing a violent act – that can be criminal.

What advice did you provide the Government (Minister/PM) regarding the invocation of the EA?

- I briefed the Prime Minister, Ministers, and senior officials, throughout the crisis and provided regular situational awareness updates.
- Some of the considerations at the time of those briefings were:
 - The illegal blockades and occupations taking place;
 - The situation in Ottawa; and
 - The support that the RCMP was providing to law enforcement partners in Ontario and across Canada.

Did the RCMP have any tangible evidence to suggest a link between terrorist threat related activity and the protests occurring nationwide?

- The RCMP was aware of the presence of some individuals and groups that fell under the category of IMVE.
- The RCMP had several files on individuals and/or groups where there was a concern from a “threat to public safety” perspective.

If pressed for further details about potential investigations:

- As there is an ongoing criminal investigation and civil lawsuits, the RCMP is not able to provide any information at this time.

At any point throughout the protests in Ottawa, was there ever the threat of a serious organized violent plot in Ottawa?

- Although the potential for serious violence by a lone actor or fringe groups was never discounted, no formal organized violent plot was identified during the duration of the protests in Ottawa.
- While there was no organized violent plot in Ottawa, a cache of firearms, ammunition and body armour was seized at the Coutts, Alberta, border crossing with markings from the extremist militia known as Diagon. This demonstrates the concern of groups with extremist agendas infiltrating larger protests.

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SOCIAL MEDIA ANALYTICAL TOOLS

RCMP SPEAKING POINTS:

- The police are responsible for preventing, detecting and investigating crime to protect the communities they serve.
- As such, the police must have an awareness of online activities and constantly keep pace with the emergence of new technologies.
- The analysis of open source information, including social media, can help detect threats to public safety.
- The RCMP does not access private communications, including private emails and text messages, without a judicial authorization.
- The RCMP's open source activities are in relation to mandated enforcement initiatives and follow rigorous Government of Canada and departmental legislation and policies.

QUESTIONS AND ANSWERS:

What is the RCMP's role/involvement in monitoring social media? Please discuss and explain all tools and techniques used.

- The RCMP may maintain situational awareness and collect open source information, including from social media, in relation to emerging and/or ongoing events.
- The RCMP may leverage social media analytical tools that yield results similar to what the general public would uncover using the internet.
- The RCMP's use of social media analytical tools adhere to rigorous departmental regulations and Government of Canada legislation and policies, including the *Canadian Charter of Rights and Freedoms* and *Privacy Act*.

Did the RCMP monitor any protest activity prior to or during the crisis?

- The RCMP maintains situational awareness of certain ideologically-motivated violent extremist groups who have been using the COVID-19 pandemic to spread

propaganda, exacerbate social tensions, encourage criminal or violent actions, and undermine trust in public institutions and government.

If pressed on whether the RCMP engaged with the Office of the Privacy Commissioner:

- The RCMP engaged the Office of the Privacy Commissioner in relation to the enforcement responses against illegal activity during the Freedom Convoy occupations.
 - The open source information leveraged assisted with the identification of threats and investigative leads related to the convoy occupation against public safety, officer safety, Internationally Protected Persons, and critical infrastructure.
 - The RCMP will continue to work with the Office of the Privacy Commissioner on this matter and adhere to departmental regulations and Government of Canada legislation and policies.

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MEMBER CONDUCT

RCMP SPEAKING POINTS:

- Public trust is essential for the RCMP to effectively serve and protect Canadians. As a result, RCMP employees must conduct themselves in a manner that meets the rightfully high expectations of Canadians.
- All RCMP employees, whether Regular Members, Civilian Members or Public Services employees, are subject to a Code of Conduct and the Treasury Board Values and Ethics Code for the Public Sector.
- RCMP employees represent one of Canada's most iconic police organizations. Canadians look to each of us to set an example and uphold a standard that is fair, professional, unbiased and honourable.
- Contraventions of the Code of Conduct are taken seriously and the RCMP is committed to handling conduct issues in a responsive, timely, efficient and fair manner.

If pressed on former and current members participating in the protests:

- The RCMP is aware that past and former members participated in, or potentially supported the protests in some manner. The RCMP is still in the process of following up on these matters.
- Generally, only in the event that an investigation results in the laying of criminal charges would the RCMP confirm its investigation, the nature of any charges laid and the identity of the individual(s) involved.

If pressed on the right to employee freedom of expression:

- Due to the legitimate public interest in an impartial and effective public service, a public service employee's right to freedom of expression is not absolute.
- It must be balanced against the employee's duty of loyalty to the employer and the Government of Canada.
- The type of discipline warranted would depend on the facts of the case and could potentially range from a warning up to dismissal.

If pressed on employee use of social media:

- I am aware of the material that circulated on social media pertaining to a chat group that included some of our members, and can confirm that we are looking into the matter.
- This material is not representative of those who have committed themselves to serving Canadians with integrity and professionalism.
- As Canada's national police force, the RCMP is held to a high standard by the public we serve. RCMP members' use of social media must align with these standards.
- All members of the RCMP know that, whether on or off duty, they have a responsibility to hold themselves to the highest professional standards and are subject to the Code of Conduct of the RCMP at all times.
 - This includes acting with integrity, fairness, and impartiality, and avoiding any potential conflicts between their professional responsibilities and private interests.
- We have put measures in place to ensure the continued integrity of police operations as well as the safety of our members.

If pressed on current police-involved incidents as a result of the demonstrations:

- The Ontario Province's Special Investigations Unit (SIU) launched investigations into two police-involved incidents that occurred at the demonstrations in Ottawa.
- The first incident suggests that on February 18, 2022, a Toronto Police Service officer on a horse and a 49-year-old woman on Rideau Street and Mackenzie Avenue. The woman has a reported serious injury.
 - On April 4, 2022, the SIU announced that it had closed its investigation into this incident, as the woman's injury was limited to a strained shoulder, which does not fall under the SIU's mandate of a 'serious injury'.
- The second incident suggests that on February 19, 2022, Vancouver Police Department officers discharged Anti-Riot Weapon Enfields (less-lethal firearms) at individuals in the area of Sparks Street and Bank Street. No injuries have been reported at this time.
- I cannot comment further on these SIU investigations.

Royal Canadian Mounted Police | Gendarmerie royale du Canada

SYSTEMIC RACISM IN POLICING

RCMP SPEAKING POINTS:

- Managing protests and protesters respectfully and within the rule of law is always a priority and a preoccupation of the RCMP.
- We understand that it is imperative that policing agencies in Canada take concrete action to identify and address the admittedly longstanding issues of systemic racism in policing.
- The RCMP has developed and is implementing a comprehensive series of actions that promote Equity and Accountability and build Trust across the organization and in the carrying out of its mandates in service to communities.
- Using funds provided through Budget 2021, the RCMP has set processes in motion that will address systemic racism in all areas where the RCMP has a mandate to preserve the peace and maintain public safety.

If pressed on Coastal Gas Link protests:

- The RCMP frequently finds itself in a variety of roles during a protest, including facilitating engagement amongst stakeholders such as private companies and protestors, as well as liaising with various governing entities.
- There is significant benefit for all levels of government to engage with private companies and protest groups prior to the company seeking a Civil Injunction and Enforcement Clause, which places the RCMP in a situation where eventually enforcement action is required.
- The RCMP is taking considerable positive actions towards reconciliation with Indigenous communities and peoples, which is rendered more challenging when it is placed in an enforcement posture.

If pressed on the approach to Indigenous protestors versus convoy protestors:

- The RCMP is taking the necessary actions to maintain order during this challenging period for the country, all while respecting the rights and freedoms of Canadians engaged in lawful assembly and moving the organization forward on its change agenda.
- The RCMP is steadfast in its resolve to improve trust between Black, Indigenous and racialized communities and the RCMP.

If pressed on specific actions the RCMP has taken to address systemic racism:

- Mandatory anti-racism training for all employees, adding anti-racism content in the curriculum for new cadets, and improving de-escalation strategies are but a few of the many concrete and integrated initiatives that are in progress.